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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 200)

Complete if Known

Application Number 09/760,364

Filing Date January 12, 2001

First Named Inventor Lehmann, Jurgen M.

Examiner Name Joseph Murphy

Group Art Unit 1646

Attorney Docket No 18781-004110

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JUN 11 2001

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METHOD OF PAYMENT				FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to  <b>Deposit Account Number:</b> 20-1430				<b>3. ADDITIONAL FEES</b> Large Entity Small Entity Entity Fee Description Fee Paid Fee Code Fee Code Fee Code Fee (\$)			
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				105	130	205	65 Surcharge - late filing fee or oath
				127	50	227	25 Surcharge - late provisional filing fee or cover sheet
				139	130	139	130 Non-English specification
				147	2,520	147	2,520 For filing a request for reexamination
				112	920*	112	920* Requesting publication of SIR prior to Examiner action
				113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
				115	110	215	55 Extension for reply within first month
				116	400	216	200 Extension for reply within second month
				117	920	217	460 Extension for reply within third month
				118	1,440	218	720 Extension for reply within fourth month
				128	1,960	228	980 Extension for reply within fifth month
				119	320	219	160 Notice of Appeal
				120	320	220	160 Filing a brief in support of an appeal
				121	280	221	140 Request for oral hearing
				138	1,510	138	1,510 Petition to institute a public use proceeding
				140	110	240	55 Petition to revive – unavoidable
				141	1,280	241	640 Petition to revive – unintentional
				142	1,280	242	640 Utility issue fee (or reissue)
				143	460	243	230 Design issue fee
				144	620	244	310 Plant issue fee
				122	130	122	130 Petitions to the Commissioner
				123	50	123	50 Petitions related to provisional applications
				126	180	126	180 Submission of Information Disclosure Stmt
				581	40	581	40 Recording each patent assignment per property (times number of properties)
				146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))
				149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))
				179	740	279	370 Request for Continued Examination (RCE)
				169	900	169	900 Request for expedited examination of a design application
				Other fee (specify)			
				The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.			
				*Reduced by Basic Filing Fee Paid <b>SUBTOTAL (3) (\$200)</b>			
**or number previously paid, if greater. For Reissues, see above							

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Eugenia Garrett-Wackowski	Registration No. (Attorney/Agent)	37,330	Telephone	925-472-5000		
Signature	<i>Eugenia Garrett-Wackowski</i>						
Date	5/24/02						

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On 5-24-02

By: Linda Shaffer



PATENT  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jurgen M. Lehmann, et al.

Application No.: 09/760,364

Filed: January 12, 2001

For: CAR MODULATORS:  
SCREENING AND TREATMENT OF  
HYPERCHOLESTEROLEMIA

Examiner: Joseph Murphy

Art Unit: 1646

### RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed March 15, 2002,

Applicants elect, with traverse, to prosecute the subject matter of Group I, claims 1-41, drawn to a method for identifying a therapeutic agent for use in treating a CAR-mediated disorder. In response to the Species Election, Applicants elect the species of Invention I wherein the DNA binding domain is substantially identical to a DNA binding domain in CAR. Applicants also elect the species of Invention I wherein the CAR ligand is 5 $\beta$ -pregnan-3,20-dione.

The foregoing election is made with traverse. Examination of the subject matter recited in the claims of Groups I-V would not place a substantially greater burden on the Examiner. Accordingly, Applicants respectfully request the Examiner to withdraw the Restriction Requirement and to consider claims 1-59 together in the present case.

Jurgen M. Lehmann, *et al.*  
Application No.: 09/760,364  
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PATENT

If the Examiner has any questions regarding Applicants' election, or if the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (925) 472-5000.

Respectfully submitted,

Eugenia Garrett-Wackowski  
Reg. No. 37,330

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WC 9039191 v1